



Express Mailing Label No. EV 485 809 154 US

PATENT APPLICATION

Docket No: 14684.47

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:		)
		)
	Christian John Cook	)
		)
Serial No:	09/830,145	) Art Unit
		) 2863
Filed:	April 20, 2001	)
		)
Confirmation No.:	9802	)
		)
For:	DETERMINING MEAT QUALITY OF A	)
	LIVE ANIMAL	)
		)
Examiner:	Xiuqin Sun	)

CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. § 1.10

I hereby certify that following documents are being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Box: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 19<sup>th</sup> day of January 2005.

- Transmittal of Issue Fee (2 pages) (in duplicate)
- PTO Form PTOL-85 transmitting payment of Issue Fee
- Form PTO-2038 submitting Credit Card Payment in the amount of \$1,445.00
- Comments on Statement of Reasons for Allowance (2 pages)
- Postcard

Respectfully submitted,

DANA L. TANGREN  
Attorney for Applicant  
Registration No. 37,246  
Customer No. 022913  
Telephone No. 801.533.9800

INTELLECTUAL PROPERTY ATTORNEYS

1000 EAGLE GATE TOWER  
60 EAST SOUTH TEMPLE  
SALT LAKE CITY, UTAH 84111  
TELEPHONE: (801) 533-9800  
FAX: (801) 328-1707  
WEBSITE: [HTTP://WWW.WNLAW.COM](http://www.wnlaw.com)

Docket No: 14684.47

**In re application of:**

Christian John Cook

Serial No: 09/830,145

Filed: April 20, 2001

Confirmation No.: 9802

For: DETERMINING MEAT QUALITY OF A  
LIVE ANIMAL

Examiner: Xiuqin Sun

## TRANSMITTAL OF ISSUE FEE PAYMENT

**Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Sir:

In response to the Notice of Allowance and Fee(s) Transmittal dated October 22, 2004, please find enclosed herewith the following items for filing in the United States Patent and Trademark Office in connection with the above identified patent application:

X Fee(s) Transmittal (PTOL-85) submitted pursuant to 37 C.F.R. § 1.311.

R. PARRISH FREEMAN, JR.  
PETER F. MALEN, JR.  
L. REX SEARS, PH.D.  
WILLIAM R. RICHTER  
ERIC M. KAMERATH  
ROBERT E. AYCOCK  
JENS C. JENKINS  
KEVIN W. STINGER  
WILLIAM J. ATHAY  
MICHAEL B. DODD  
RYAN D. BENSON  
SARA D. JONES  
TIGE KELLER  
JANNA L. JENSEN  
MATTHEW D. TODD  
J. LAVAR OLDHAM  
MICHAEL J. FRODSHAM  
JOSEPH L. KRUPA  
BRETT A. HANSEN  
BRETT I. JOHNSON  
MATTHEW A. BARLOW  
WESLEY C. ROSANDER  
ANDREW S. HANSEN  
CHAD E. NYDEGGER  
JOSEPH G. PIA  
CLINTON E. DUKE  
RYAN N. FARR \*  
JAMES B. BELSHE  
ALISON B. MOHR  
KIRK R. HARRIS  
KEELY SCHNEITER  
MICHAEL M. BALLARD  
DAVID A. JONES  
SHANE K. JENSEN  
JONATHAN M. BENNS, PH.D.

VERNON R. RICE §  
OF COUNSEL.

\* Admitted only in California  
§ Admitted only in Virginia

X Comments on Statement of Reasons for Allowance.

X A Certificate of Express Mail under 37 C.F.R. § 1.10 is enclosed.

— Pursuant to the request for submission of formal drawings, enclosed are the following:

— A Letter to the Official Draftsperson;

— A set of \_\_\_\_\_ ( ) sheets of formal drawings to replace the corresponding drawings originally filed with the subject application.

— A duplicate set of the \_\_\_\_\_ ( ) sheets of formal drawings with the changes therein highlighted in red.

X Form PTO-2038 submitting Credit Card Payment in the amount of \$1,445.00 is enclosed to cover:

X The \$1,400.00 government issue fee pursuant to 37 C.F.R. § 1.18.

— The \$ \_\_\_\_\_ government publication fee pursuant to 37 C.F.R. § 1.18.(d).

X The \$45.00 fee for fifteen (15) copies of the patent when issued.

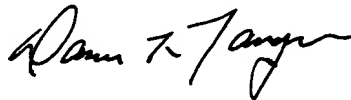
X The Commission is hereby authorized to charge payment of any additional fees or credit any overpayment to Deposit Account No. 23-3178.

X A duplicate copy of this letter is enclosed.

Please address all future correspondence in connection with the above-identified patent application to the attention of the undersigned.

Dated this 19<sup>th</sup> day of January 2005.

Respectfully submitted,



DANA L. TANGREN  
Attorney for Applicant  
Registration No. 37,246  
Customer No. 022913  
Telephone No. 801.533.9800

A circular black ink stamp from the Office of Intellectual Property (OIP). The text "OIP" is at the top, "JCS" is at the top right, and "PATENT &amp; TRADEMARK" is at the bottom. The date "JAN 19 2005" is stamped in the center.

Docket No: 14684.47

in re application of:

\_\_\_\_\_

) Art Unit  
) 2863

)

)

2

### COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Dear Sir:

However, Applicant respectfully submits that the claimed invention as set forth in each of the independent claims and the dependent claims must be read as a whole, and not as a single feature or subcombination of features which represent less than the entirety of the claimed invention as a whole. While a particular feature or subcombination of features referred to by the Examiner in the Statement of Reasons for Allowance may represent a basis for distinguishing the claimed invention over the prior art, Applicant submits that this may not necessarily be the *sole* ground for distinguishing the claimed invention over the prior art of record. Accordingly, the Examiner's statement should, in Applicants' view, not be read as constituting or meaning that the invention can or should be reduced to a single "feature" of the invention or to a subcombination of features that is less than the entire invention claimed as a whole, nor that the single feature referenced by the Examiner or subcombination of features referenced by the Examiner in the Statement of Reasons for Allowance is the only or sole grounds for distinguishing the invention over the prior art of record.

Dated this 19<sup>th</sup> day of January 2005.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Dana L. Tangren', with a stylized flourish at the end.

DANA L. TANGREN  
Attorney for Applicant  
Registration No. 37,246  
Customer No. 022913  
Telephone No. 801.533.9800

DLT:dfw  
W:\14684\47\DFW0000012759V001.doc